



**COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF PLANNING AND BUILDING  
STAFF REPORT**

**Tentative Notice of Action**

*Promoting the wise use of land  
Helping build great communities*

<b>MEETING DATE</b> September 16, 2016 <b>EFFECTIVE DATE</b> September 30, 2016	<b>CONTACT/PHONE</b> Airlin M. Singewald (805) 781-5198 asingewald@co.slo.ca.us	<b>APPLICANT</b> Jason Leggitt	<b>FILE NO.</b> DRC2015-00105
<b>SUBJECT</b> A request by <b>JASON LEGGITT</b> for a Minor Use Permit (DRC2015-00105) to allow the installation of two duplex manufactured units (four new dwelling units) totaling 2,592 square feet, a common space area between the two buildings, and eight onsite parking spaces. Each unit would be 648 square feet with two bedrooms and a front porch. The project will result in the disturbance of approximately 7,500 square feet on a 7,500 square-foot parcel. The proposed project is within the Residential Multi-Family land use category and is located at 968 L Street, between 9th and 10th streets, in the community of San Miguel. The site is in the Salinas River sub-area of the North County planning area.			
<b>RECOMMENDED ACTION</b> <ol style="list-style-type: none"><li>1. Adopt the Mitigated Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq.</li><li>2. Approve Minor Use Permit DRC2015-00105 based on the findings listed in Exhibit A and the conditions listed in Exhibit B</li></ol>			
<b>ENVIRONMENTAL DETERMINATION</b> The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on August 11, 2016 for this project. Mitigation measures are proposed to address biological resources and water and hydrology and are included as conditions of approval. Anyone interested in commenting or receiving a copy of the proposed Environmental Determination should submit a written statement. Comments will be accepted up until completion of the public hearing(s).			
<b>LAND USE CATEGORY</b> Residential Multi Family	<b>COMBINING DESIGNATION</b> N/A	<b>ASSESSOR PARCEL NUMBER</b> 021-331-034	<b>SUPERVISOR DISTRICT(S)</b> 1
<b>PLANNING AREA STANDARDS:</b> Compliance with the San Miguel Design Plan; Paso Robles Groundwater Basin; Cultural Resources <i>Does the project meet applicable Planning Area Standards: Yes - see discussion</i>			
<b>LAND USE ORDINANCE STANDARDS:</b> Fencing and Screening; Height; Noise; Setbacks; Residential Density – Multi-family Dwellings; Storm Water Management; Landscaping <i>Does the project conform to the Land Use Ordinance Standards: Yes - see discussion</i>			
<b>FINAL ACTION</b> This tentative decision will become final action on the project, effective on the 15 <sup>th</sup> day following the administrative hearing, or on September 30, 2016, if no hearing was requested unless this decision is changed as a result of information obtained at the hearing or is appealed.			
<b>EXISTING USES:</b> Vacant			
<b>ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING &amp; BUILDING AT:</b> COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242			

SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Residential Multi-Family / single-family residences <i>South:</i> Residential Multi-Family / single-family residences <i>East:</i> Commercial Retail, Residential Multi-Family / apartments, single family residences <i>West:</i> Residential Multi-Family / undeveloped	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: San Miguel Advisory Council; Building Division; Public Works; San Miguel Community Services District	
TOPOGRAPHY: Level	VEGETATION: Disturbed
PROPOSED SERVICES: Water supply: Community System (SMCSD) Sewage Disposal: Community System (SMCSD) Fire Protection: San Miguel Fire Department (SMCSD)	ACCEPTANCE DATE: June 28, 2016

## DISCUSSION

### SUMMARY:

Jason Leggitt is seeking a Minor Use Permit to allow the installation of two duplex manufactured units (four new dwelling units) totaling 2,592 square feet, a common space area between the two buildings, and eight onsite parking spaces. Each unit would be 648 square feet with two bedrooms and a front porch.

The project site is located in the urban area of San Miguel on L Street, midway between 9<sup>th</sup> and 10<sup>th</sup> Street. The project site is a nearly level 7,500 square-foot vacant parcel. The parcel is rectangular in shape with frontages on L Street (western boundary) and a rear alley (eastern boundary). A 3-foot tall chain-link fence encloses part of the L Street frontage and the northern property boundary. The parcel contains ruderal, non-native vegetation. Deciduous trees, oaks, and pines are scattered throughout the neighborhood. Surrounding properties are developed with single family homes and apartments. There are a few other vacant lots located across the street. The project site is not visible from Highway 101.

### PLANNING AREA STANDARDS:

*Compliance with the San Miguel Design Plan* – All proposed development shall conform to the San Miguel Design Plan. The proposed project is subject to the following guidelines and standards for projects located in the Residential Multi-Family (RMF) land use category:

*5.1. Site Design – The site design of multi-family developments should incorporate design concepts associated with single-family neighborhoods.*

- a. Building size. (Standard) To achieve compatibility with adjoining single-family neighborhoods, no more than six dwelling units are allowed in any single structure.*

The proposed project complies with this standard because it would involve the construction of four new dwellings units in two “duplex” buildings.

- b. Use of front yard setback. (Guideline) To achieve compatibility with adjoining single-family neighborhoods, the space between buildings and the main street frontage should not be used as a location for required on-site parking spaces. Parking areas should be located within the interior of the site or on the sides and rear where they can be adequately screened from view by fencing and landscaping.*

The project proposes 4 parking spaces in the front setback on L Street and 4 spaces perpendicular to the rear alley. Due to the size and shape of the parcel, locating the parking on the interior of the property (between the two buildings) would require a longer driveway, which would eliminate private open space and likely reduce the number of units that could be built on the site. The applicant is proposing to plant two deciduous trees between L Street and the proposed parking lot. This will help screen and soften the appearance of the parking lot.

- c. Private open space. (Guideline) Each unit in an RMF development should include at least 150 square feet of private usable open space, in the form of decks or ground level patios.*

The proposed project complies with this guideline as each unit would have approximately 300 square feet of private open area in the form of front and back yards.

- d. Shared open space. (Standard) Multi-family developments must include shared usable open space which may include such features as gardens, play areas or swimming pools.*

The proposed project complies with this standard because it would include shared open space including a common walkway and two benches. The project has been designed to maximum private (rather than shared) open space as this is generally the preference of tenants.

- e. Sidewalks. (Standard) Curbs, gutters, and sidewalks are required for all new development in the Residential Multi-Family land use district.*

The proposed project is conditioned to provide curbs, gutters, and sidewalks.

- f. Street trees. (Standard) New development in the RMF category must include at least one deciduous shade tree per 30 feet of frontage or fraction thereof, planted within 10 feet of the front property line. The Countywide Design Plan contains a list of species approved for use as street trees.*

The proposed project complies with this standard because it would plant four deciduous trees, including two trees on L Street and one in front of each duplex building.

- g. Building lighting. (Guideline) Exterior light fixtures should be designed and adjusted to direct light away from any road, street or dwelling unit.*

The proposed project is conditioned to comply with this guideline.

*5.2. Building Design – Multi-family buildings should be designed to include details and features similar to single-family homes.*

- a. Entries. (Guideline) Each unit of a multi-family development should have its own separate main entry from the outdoors. For any building having frontage on a public street, entries to the units should face the street.*

The proposed project is consistent with this guideline because each unit would have its separate entry and front porch. Although the front doors are not oriented toward the public street, the porch stairs face the street.

- b. Building footprint. (Guideline) Building footprints should resemble a series of partially overlapping rectangles, as opposed to a single rectangle.*

The proposed units would each have a covered front porch and uncovered rear porch, which add articulation to the buildings.

- c. Building details. (Guideline) Buildings should include details associated with single-family homes, such as porches, bay windows, chimneys, trellises, built-in planters, integrated low walls. Each dwelling unit should be made individually recognizable through the use of balconies, porches, setbacks or other architectural features.*

The proposed units would each have covered front porches consistent with many of the single family homes in the neighborhood.

- d. Building height. (Standard) Maximum allowable building height is two stories.*

The proposed buildings would each be one story.

Paso Robles Groundwater Basin – The project site is located in the San Miguel Urban Reserve Line and will receive water service through the San Miguel Community Services District. As a

result, it is not subject to the Paso Robles Groundwater Basin standards in Section 22.94.025 (former Section 22.104.020). However, it would be subject to the Countywide Water Conservation Requirements which require projects in the Paso Robles Groundwater Basin to obtain an Offset Clearance from the Department of Planning and Building verifying that new water use has been offset at a 1:1 ratio.

*Cultural Resources* – A Phase I (surface) survey was conducted by Hoover Archeological Consultants on February 24, 2016. No evidence of cultural materials was noted on the property. The surface survey included a records search, which did not find any prehistoric sites within a ¼ mile radius of the property. The project is conditioned to require construction to cease in the event that resources are discovered during earthwork.

#### LAND USE ORDINANCE STANDARDS:

*Allowed Use, Permit Requirement* – Multi-family dwellings, including “duplexes” are an allowed use in the Residential Multi-Family land use category subject to the density, minimum open area, and maximum floor area provisions of Title 22. The San Miguel Design Plan requires Minor Use Permit approval for new development in San Miguel.

#### *General Property Development Standards*

<b>Exterior Lighting</b> 22.10.060	<i>Exterior lighting shall be designed such that neither the bulb nor the reflective surfacing are visible from off-site.</i>  As conditioned, the project will be required to submit an outdoor lighting plan consistent with this standard.
<b>Fencing and Screening</b> 22.10.080	<i>Multi-family residential projects shall be screened on all interior property lines.</i>  The project is conditioned to comply with this standard
<b>Height Measurement</b> 22.10.090	<i>Structures are limited to a height of 35 feet above average natural grade. However, the San Miguel Design Plan limits development in the Residential Multi-Family land use category to two stories.</i>  All proposed residences are single story and are not anticipated to exceed a height of 20 feet.
<b>Minimum Site Area</b> 22.10.110	<i>A minimum site area of 6,000 square feet is needed to establish multi-family dwellings.</i>  The subject parcel is 7,500 square feet in size.
<b>Residential Density, Minimum Open Area, Maximum Floor Area</b> 22.10.130	<i>Based on the project's location on a paved local street, community sewer service, and location within 1,000 feet of the central business district, the site qualifies for a medium intensity factor, which allows for 26 units/acre, 48 percent maximum floor area, and 45 percent minimum open area.</i>  With a residential density of 23.5 units per acre (4 units / 0.17 acre), 3,802 square feet of open area (51 percent of the site), and 2,592 square feet of floor area (35 percent of the site), the project complies with the multi-family dwellings standards.
<b>Setbacks</b> 22.10.140	<i>Required structural setbacks are as follows: 25-foot front setback, 5-foot side setback, and 10-foot rear setback.</i>  The project complies with these setbacks.

<b>Parking</b> 22.18	<p><i>The proposed project would require 8 parking spaces (resident parking: 1.5 spaces per two bedroom unit; and guest parking: 1 space plus 1 additional space per four units).</i></p> <p>The proposed project includes 8 parking spaces, including 4 spaces on L Street and 4 spaces in the alley. The Public Works Department has approved one parking space in the L Street right-of-way, subject to an encroachment permit.</p> <p><i>Section 22.18.040(B)(1) does not allow for parking areas for more than two vehicles that require or encourage backing out into a public street or public alley.</i></p> <p>The project includes four parking spaces that would require vehicles to back out into a public alley. However, the Department of Public Works has reviewed this plan and determined that the proposed parking configuration would not result in traffic safety problems.</p>
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### Landscaping

Landscaping plans are required for developer-installed landscaping in residential multi-family developments. As conditioned, the project is required to submit a landscape plan.

### COMMUNITY ADVISORY GROUP COMMENTS:

The San Miguel Advisory Council (SMAC) reviewed this project at their meeting on April 27, 2016. At that time, SMAC voted to recommend approval of the Minor Use Permit, with the following comments: 1) the required number of parking spaces should not be reduced, and 2) façade improvements should be made to the unit fronting L Street. As described above, the project will provide 8 parking spaces, consistent with the requirements of the Land Use Ordinance, and each unit would include a covered front porch consistent with single family homes in the area.

### AGENCY REVIEW:

Public Works.....Per meeting with applicant on 5/5/16, L Street parking lot in front yard with one space encroaching within L Street right of way will be allowed under encroachment permit. All other L Street driveway standards apply, alley parking okay for 4 onsite spaces to back out into alley. Project triggers curb, gutter, and sidewalk improvements. Project meets the applicability criteria for Storm Water Management and is therefore required to submit a Storm Water Control Plan Application and Coversheet.

Building.....Standard construction permit requirements apply. Residences will require fire sprinklers.

San Miguel CSD .....Provided a letter expressing the intent to serve the project with water and sewer.

### LEGAL LOT STATUS:

The existing lot was legally created by a subdivision or deed at a time when that was a legal method of creating a lot.

Staff report prepared by Airlin M. Singewald and reviewed by Karen Nall.